

03500.013395.2

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
KEISHI SAITO, ET AL.
Application No.: 10/625,672
Filed: July 24, 2003
For: SEMICONDUCTOR ELEMENT
AND ITS MANUFACTURING
METHOD) December 30, 2004
Examiner: S. Mulpuri
Group Art Unit: 2812

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action dated December 2, 2004, Applicants hereby provisionally elect to prosecute the Group I claims, namely Claims 20 to 22, 24, and 25. The restriction requirement is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining the two groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in

examining the claims of Groups I and II in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

In view of the foregoing, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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